

Dear Constituent:

As you may know, before adjourning last month Congress passed legislation that infringes on the civil liberties of Americans and eliminates the constitutional rights of military detainees. I wanted to update you on the content and consequences of these significant pieces of legislation.

First, the House of Representatives passed H.R. 5825, the Electronic Surveillance Modernization Act, by a vote of 232-191 on September 28, 2006. This legislation authorizes the President's secret spying program, which is already known to bypass the secret Foreign Intelligence Surveillance Act (FISA) court in order to conduct electronic surveillance without a court order. I voted against this legislation because instead of reigning in the Administration's program it expands the Administration's ability to conduct warrantless surveillance on innocent Americans. This legislation would also eliminate all pending legal challenges against the current surveillance program, removing the courts from the review process. This is a serious affront to our constitutionally guaranteed system of checks and balances and the responsibilities of the Federal Judiciary. The Senate has not yet considered legislation on this issue.

On September 29, 2006 the House of Representatives passed S. 3930, the Military Commissions Bill by a vote of 250-170. The Senate passed this legislation a day earlier by a vote of 65-34. I voted against this legislation because of the grave implications it holds for the American judicial system and the constitutional rights of prisoners. S. 3930 creates a new and untested military tribunal system. It also denies terrorist suspects their rights, including the right of habeas corpus, which has been a mainstay in the American legal system for over two centuries. Without habeas corpus suspects will have no mechanism to challenge their detentions in court, leaving them subject to the possibility of indefinite detention. Despite these repercussions, the President signed this legislation into law this morning.

Please be assured that I will continue to work to protect our privacy and civil liberties.

As always, please feel free to contact me if you have further questions or concerns about a particular issue.

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